

R E M A R K S

Applicant has carefully considered the above identified Office Action, and in response thereto is addressing each issue raised by the examiner in the remarks hereinbelow. In this regard, applicant is amending claims 1 - 28.

Claim Rejection 35 USC 103(a)

Applicant has amended claims 1 - 28 by removing the limitation of removably attaching the collector in the preambles and in the body of claims 1, 11 and 20. Applicant has also amended claims 1, 11 and 20 by adding the phrase, "at least one sealing ring being disposed between an outer perimeter of at least one of said at least two exhaust jacket pipes and at least one of said at least two jacket openings." The Thompson '690 patent does not teach or suggest sealing an outer perimeter of an adapter tube to an inner perimeter of an elongated collector. Further, the Thompson patent discloses a non-water cooled exhaust. The applicant's admitted prior art (AAFA) reference (Fig. 2) does not teach or suggest disposing a sealing ring between an outer perimeter of an exhaust jacket pipe and a jacket opening.

To make a prima facie case of obviousness examiner must meet all three requirements of MPEP 2143:

- 1) There must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings.

- 2) There must be a reasonable expectation of success.
- 3) The prior art reference must teach or suggest all claim limitations.

Examiner has not provided a suggestion or motivation to combine the Thompson patent and the AAPA. Thompson discloses a non-water cooled header collector assembly for an automobile engine that includes equal lengths for each exhaust pipe of an exhaust header. The AAPA discloses a water-cooled collector for a boat engine that retains a plurality of exhaust pipes from an exhaust header. The only motivation to combine the two dissimilar references is hindsight reconstruction.

There is no reasonable expectation of success, because neither reference teaches or suggests locating at least one sealing ring between an outer perimeter of at least one of said at least two exhaust jacket pipes and at least one of said at least two jacket openings. Finally, the combination of the Thompson patent and the AAPA do not teach every limitation found in claims 1, 11 and 20. Specifically, neither reference teaches or suggests locating at least one sealing ring between an outer perimeter of at least one of said at least two exhaust jacket pipes and at least one of said at least two jacket openings. All claims dependent upon a newly allowable claim are also made allowable.

C O N C L U S I O N

It is respectfully submitted that applicant has responded in a fully satisfactory manner to all matters at issue in this application, and this application is now in condition for allowance. In this regard, applicant has made every effort to comply with the requirements set forth in this Office Action as well as statutory requirements. Accordingly, applicant respectfully requests that the Examiner enter this amendment, allow the claims, and pass this application on to issue.

Respectfully submitted,



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